

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AUBREY McDANIELS,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	NO. 08-4325
	:	
MICHAEL W. HARLOW, et al.,	:	
Respondents.	:	

**MEMORANDUM ORDER**

The petitioner has filed a letter request for reinstatement of his habeas corpus petition, which was dismissed without prejudice for failure to exhaust state remedies by order dated February 10, 2009.

The petitioner has submitted no evidence of his attempt to exhaust other than “correspondence” (not attached to the petition) “from Honorable William Mazzola where in he stated that his Court did not retain present Jurisdiction over any aspect of my sentence.”

In short, petitioner has provided no information as to what the status of his PCRA petition is (*See p. 2 of Report and Recommendation of Magistrate Judge L. Felipe Restrepo*) and what steps he has taken to appeal from any decision regarding it.

Accordingly, the following Order is entered:

**AND NOW**, this 24<sup>th</sup> day of November, 2009, Petitioner’s Letter Request (Docket No. 9) is **DISMISSED** without prejudice to petitioner’s refiling when he can demonstrate the steps he has taken to exhaust state remedies.

BY THE COURT:

*s/ Ronald L. Buckwalter*  
RONALD L. BUCKWALTER, S.J.